

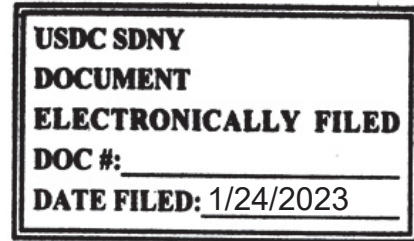
**MOUND COTTON WOLLAN & GREENGRASS LLP**

COUNSELLORS AT LAW  
ONE NEW YORK PLAZA  
NEW YORK, NY 10004-1901

(212) 804-4200  
FAX: (212) 344-8066  
WWW.MOUNDCOTTON.COM

JONATHAN S. CHERNOW  
SENIOR COUNSEL  
212-804-4213  
JChernow@moundcotton.com

NEW YORK, NY  
FLORHAM PARK, NJ  
GARDEN CITY, NY  
SAN FRANCISCO, CA  
FORT LAUDERDALE, FL  
HOUSTON, TX



January 23, 2023

**Via ECF**

Hon. Robert W. Lehrburger  
United States District Court, Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: IN THE MATTER OF THE COMPLAINT of HAPAG-LLOYD  
AKTIENGESELLSCHAFT A/K/A HAPAG-LLOYD AG as OWNERS AND  
OPERATORS OF THE M/V YANTIAN EXPRESS  
19-cv-5731 (GHW) (RWL)

Dear Judge Lehrburger:

We are counsel to the Mound Cotton Claimants in this action. We write jointly with Petitioner Hapag-Lloyd, (“Hapag”) with respect to the Court’s Order dated January 9, 2023 (Doc. No. 873) (“the Order”). The Order granted the Mound Cotton Claimants January 9, 2023 letter request, with Hapag’s consent, to further adjourn the time for Claimant Pepsico Concentrate Manufacturing (Singapore) Pte Ltd., to produce certain documents responsive to Hapag’s December 15, 2021 request for production of documents, from January 9, 2023, to today, in light of the recommencement of substantive settlement negotiations (Doc. No. 872).

We are pleased to report that the parties have made substantial progress in settling their differences concerning the six containers of Pepsico Gatorade dry mix powder (“the Containers”). However, the parties estimate they will need another two weeks to complete negotiations and reach a global resolution. Among other advances, the parties have greatly narrowed their dispute as to the valuation of the Containers for purposes of settlement. Moreover, terms of a settlement agreement encompassing the general average aspects in this matter remain under review by respective English counsel for the parties, and will also need to be reviewed by the London based marine average adjuster appointed in this matter.

Accordingly, we would appreciate the Court’s continued accommodation of the settlement negotiations and with Hapag’s consent, respectfully ask that the Court adjourn the

Hon. Robert W. Lehrburger  
United States District Court, Southern District of New York  
January 23, 2023  
Page 2

compliance date in the Order from January 23, 2023 to February 11, 2023. This is the Mound Cotton Claimants' third request to adjourn the compliance date in the Order.

Respectfully submitted,

s/s/ Jonathan S. Chernow

Jonathan S. Chernow  
Attorneys for the Mound Cotton Claimants  
Mound Cotton Wollan & Greengrass LLP  
One New York Plaza  
New York, NY 10004  
(212) 804-4200

SO ORDERED:

1/24/2023



---

HON. ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE